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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 84 27

1	UNITED STATES OF AMERICA,)	Magistrate's Case No.:
2)	
3	Plaintiff,)	COMPLAINT FOR VIOLATION OF
4)	
5	v.)	Title 21 U.S.C. § 841(a)(1)
6)	Possession of a Controlled
7	Juan Gabriel LOPEZ-Vazquez,)	Substance with Intent to
8)	Distribute
9	Defendant.)	
10)	

The undersigned complainant duly sworn states:

That on or about May 15, 2008, within the Southern District of California, defendant Juan Gabriel LOPEZ-Vazquez, did knowingly and intentionally possess with intent to distribute approximately 153.14 kilograms (337.60 pounds) of marijuana, a Schedule I Controlled Substance, in violation of Title 21 United States Code, Section 841(a)(1).

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Sanchai W. Dean
Sanchai W. Dean, Special Agent
Drug Enforcement Administration

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 16th DAY
2008.

Peter C. Lewis
Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Juan Gabriel LOPEZ-Vazquez

4 **STATEMENT OF FACTS**

5 This Statement of Facts is based on the reports, documents,
6 and notes furnished to the Drug Enforcement Administration Special
7 Agents Sanchai W. Dean, Jeff Butler, and Chris Riddell.

8 On May 15, 2008, as a Duty Agent for the Imperial County
9 District Office (ICDO), I responded to the United States Border
10 Patrol Office in Calexico, Imperial County of California and was
11 provided the following information from United States Border Patrol
12 reports regarding the arrest of Juan Gabriel LOPEZ-Vazquez.

13 On May 15, 2008, at approximately 7:15 AM, United States
14 Border Patrol (USBP) Agent Moran was assigned to the Calexico
15 Station's Remote Video Surveillance System (RVSS) as a camera
16 operator. USBP Moran observed a white Nissan pickup drive up and
17 stop next to the Calexico East Port-of-Entry (POE). USBP Moran
18 observed several individuals south of the East POE Entry Bridge
19 emerge carrying large bundles. A few moments later, USBP Moran
20 observed the individuals load the bundles into the Nissan pickup
21 and flee back south into Mexico. During this time, USBP Moran
22 noted no one entered or exited the vehicle. After a few moments,
23 the vehicle drove away from the area.

24 USBP Moran notified other USBP agents in the area of the
25 situation and continued to maintain visual observation of the
26 vehicle. USBP Blackburn responded to the area and located the
27 vehicle. Shortly thereafter, the vehicle was stopped by USBP
28

agents Acevedo and Sandoval utilizing the Controlled Tire Deflation Device (CTDD). USBP agents Acevedo and Sandoval approached the vehicle, identified themselves, and apprehended the driver. The driver was identified as Juan Gabriel LOPEZ-Vazquez and was transported to the Calexico Station for processing. During this incident, USBP Blackburn maintained visual contact of the vehicle.

At the Calexico Station, 18 bundles weighing approximately 153.14 kilograms (337.60 pounds) were seized from the vehicle. USBP Blackburn probed one of the packages a sample of the substance field-tested positive for marijuana.

SA DEA Agents Butler and Riddell interviewed LOPEZ-Vazquez. SA Agent Butler read LOPEZ-Vazquez his rights, per Miranda, in Spanish with SA Riddell present. LOPEZ-Vazquez stated that on May 14, 2008, he received a phone call from an unknown male asking him to drive the vehicle from the Calexico East Port of Entry to an undetermined location in Calexico. LOPEZ-VAZQUEZ stated he knew he would by driving a marijuana laden vehicle and he was to be paid once he successfully delivered the vehicle to the undetermined location. VAZQUEZ stated he was to paid an unknown sum of money. VAZQUEZ stated this was the first time he has ever attempted to transport marijuana.

LOPEZ, the vehicle, and the 18 bundles were turned over to the Drug Enforcement Administration.